



EXPEDITED PROCEDURE - EXAMINING GROUP 2661

S/N 09/606025

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ronald Dammann et al. Examiner: Brian D. Nguyen
Serial No.: 09/606025 Group Art Unit: 2661
Filed: June 29, 2000 Docket No.: 884.998US1
Title: BUFFER ARRANGEMENT TO SUPPORT DIFFERENTIAL LINK
DISTANCES AT FULL BANDWIDTH
Assignee: Intel Corporation Customer No.: 21186

DECLARATION UNDER 37 CFR 1.131

RECEIVED

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

JUL 16 2004

Technology Center 2600

Dear Sir:

I, Ronald Dammann, am one of the named inventors of the subject matter claimed in the above-identified U. S. Patent Application.

I submit this Declaration under 37 CFR 1.131 in order to remove U. S Patent 6,526,495 to Sevalia, et al., as a reference against the claims of the Application, in response to the rejection of claims 27-49 under 35 USC 103(a) as unpatentable over this reference, alone or in combinations with another reference. These rejections were final rejections, but were made for the first time in an Office Action dated February 9, 2004. I have read and understood this Office Action.

The Sevalia patent was originally filed in the U. S. on March 22, 2000, and has no listed foreign priority date; the earliest effective filing date thus appears to be March 22, 2000, less than one year before the U. S. filing date of the above-identified Application.. The Sevalia patent issued on February 25, 2003.

Prior to the earliest effective filing date of the Sevalia patent, I and the other named coinventor completed the invention claimed in the Application, in the U.S. The following facts and supporting documents are adduced in support of this conclusion.

Exhibit A attached hereto in photocopy form is an invention disclosure form that was submitted to the assignee in December 1999, about four months earlier than the filing date of the reference. This disclosure contains a diagram and description on the page labeled "page 4"

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Page 2

Dkt: 884.998US1 (INTEL)

(using the definitions from the page labeled "page 3") that include all the hardware and process recitations of at least the independent claims 27, 37, and 43.

Exhibit A and other events also demonstrate diligence in pursuing the invention. Exhibit A shows, at the top of the page labeled "page 2," a tapeout date of December 1999. In semiconductor manufacturing, tapeout refers to the generation of a computer-readable medium containing precise data from which automated equipment may produce masks for actual working chips, thus reducing the invention to practice. My present recollection, aided by conversations with others, is that a tapeout of NGIO switch silicon according to the claimed invention was performed in the first week of November 1999, and that dice produced therefrom were received in mid-January 2000.

Intel Corp. holds periodic Intel Developer Forums (IDFs) for showing new and planned devices to industry representatives in a public setting. Working chips according to the invention were shown in a February 2000 IDF as "Infiniband prototypes." All of these dates precede the effective date of the Sevalia reference.

I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the Application or of any patent issued thereon.

July 8 2004
Date

Ronald Dammann
Ronald Dammann